



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AMENDMENT OF NOVEMBER 1, 2005

Application No.: 10/673,432
Filed: 9/30/2003
Applicant: FLAGG, RODGER H.
Examiner: Cassandra Davis
Art Unit: 3611

This amendment is in response to First Office Action mailed January 27, 2005, wherein three months was granted as a shortened statutory period for response, and wherein the amendment filed 3/25/05 was considered non-compliant, and one month was granted from 6/06/05 to respond. Applicant responded on July 5, 2005, but paper No. 2 mailed October 4, 2005 stated that the claims lacked a proper status identifier, and an additional one month was granted to supply proper status identifiers. The current amendment is being filed on November 1, 2005, to include proper status identifiers. This action is non-final.

Claims 1-20 are pending in this patent application.

Claims 12-20 are allowed.

Claims 1,6,8 and 9 have been rejected.

Claims 2-5, 7, 10 and 11 are objected to.

IN THE ABSTRACT

The Abstract has been amended, to delete ~~apparatus~~ from first line of Abstract, and to delete ~~means~~ from the eighth line of Abstract. (See marked up

copy of Abstract, and clean copy of Abstract filed with amendment dated July 5, 2005 and refiled November 1, 2005).

IN THE DRAWINGS

The drawings filed on 30 September 2003 have been objected to in accordance with 37 CFR 1.121(d). Thus, new Formal drawings were submitted on 3/25/05, and resubmitted on July 5, 2005.

The following reference signs mentioned in the description were added to the formal drawings. (See marked up copy of the drawings as filed with changes marked in red, and clean copy of new formal drawings submitted on 3/25/05).

Distal end 27 (See FIG. 4A , 4B, 5C, 6A and 6B) and Paragraph [0034].

Frame portion 15 (See FIG. 1 and 2) and paragraph [0028] and [0029].

Lower end 42 (See FIG. 4A, 4B, 6B) and paragraph [0035].

Upper portion 44 (See FIG. 4A, 4B, 6B) and paragraph [0036].

Distal end 68 (See FIG. 4B) and paragraph [0059].

Indicia 31 (See FIG. 1, 2) and paragraph [0042].

Vinyl material 36 (See FIG. 1, 2) and paragraph [0042].

First and/or second rigid member 34, 35 (See FIG. 3) and paragraph [0044].

Opposing sides 38, now 38A and 38B (See FIG. 3) and paragraph [0044].

Light fixture 84 (See FIG. 2) and paragraph [0062].

Multiple points of light 89 (See FIG. 9A) and paragraph [0062].

The following reference sign(s) have been added to the specification and/or drawings on 3/25/05 for clarity: lower portion 93 (See FIG. 3) and paragraph [0062].

Upper portion 94 (See FIG. 3) and paragraph [0062].

Inner side of first vertical member 95 (See FIG. 3) and paragraph [0062]..

Inner side of second vertical member 96 (See FIG. 3) and Paragraph [0062].

Releasable securement means 33 (See FIG. 4A, 4B) and Paragraph [0043].

Threaded bolt 67 and Nut 45 (See FIG. 4B) and Paragraph [0048].

Distal end 65 of clamping arm (See FIG. 4A, 4B) and Paragraph [0035].

Pivot Aperture 79 (See FIG. 4B, 7C and 7F) and Paragraph [0048].

As previously noted, the drawings as originally filed have changes marked in red, and new Corrected formal drawings were enclosed on 3/25/05, in compliance with 37 CFR 1.121(d).

IN THE SPECIFICATION

The specification has been amended to more clearly claim applicant's invention, in accordance with the drawings and specification as originally filed. Each paragraph has been consecutively numbered, in accordance with current format procedures. See copy of amended specification and clean copy of the amended specification, enclosed.

Paragraph [0062] of the specification has been amended to include a light string 87, to comply with drawing 9B as originally filed.

Paragraph [0037] of the specification has been amended to add: The clamping arm is preferably offset at least four inches inward of the opposing ends to avoid obstacles located beneath the table top. This terminology is found in

claim 9, as originally filed, and has been incorporated into the specification to provide antecedent basis.

Opposing sides 38 has been amended in the drawings FIG. 3 and specification in paragraph [0044] and [0045] to read, opposing sides 38A and 38B.

Paragraph [0048] has been amended in line 1-2, following "pivotally secured 48", to read with a threaded bolt 67 and nut 45. The bolt head 48 is clearly shown in FIG. 4B as originally filed.

The specification has been amended in Paragraph [0059], second line by adding after "fastener" - - ,such as a suitable bolt 67 and nut 45, - - As previously mentioned, the bolt head 48 is clearly shown in FIG. 4B as originally filed.

(See specification as filed, marked up copy, and clean copy as amended.).

As previously noted, in paragraph [0062] after "lower portion" add 93; after "upper portion" add 94; after "inner side", line 5 add 95; and after "inner side", line 6, add 96.

In paragraph [0068], line 5, after "lighting", add 84.

A parts list is also enclosed with this amendment for the examiner's convenience.

IN THE CLAIMS

What is claimed is:

1. (CURRENTLY AMENDED) A modular table top display apparatus to be supported and secured to a new or existing table top, which comprises:

a) a first upright sub-assembly, comprising at least one vertical tubular member, a upper connector secured to the upper end of the first vertical tubular member, and a lower connector secured to the lower end of the vertical tubular member;

b) a first clamping means positioned beneath the first upright sub-assembly, the first clamping means having a horizontal table top brace, a depending lower extension, and a horizontal clamping arm with a vertical aperture located near the distal end of the horizontal clamping arm, a threaded nut secured within the horizontal clamping arm in alignment with the vertical aperture, a threaded rod engaging the threaded nut, and extending through the vertical aperture, a handle secured to the lower end of the threaded rod, the threaded rod sized to engage the bottom of the table top when the handle is tightened, and to clear the depending lip of the table top when the handle is loosened;

c) a second upright sub-assembly, comprising at least one vertical tubular member, an upper connector secured to the upper end of the vertical tubular member, and a lower connector secured to the lower end of the vertical tubular member;

d) a second clamping means positioned beneath the second upright sub-assembly, the clamping means having a horizontal table top brace, a depending lower extension, and a horizontal clamping arm with a vertical aperture located near the distal end of the horizontal clamping arm, a threaded nut secured within the horizontal clamping arm in alignment with the vertical aperture, a threaded rod engaging the threaded nut, and extending through the vertical aperture, a handle

secured to the lower end of the threaded rod, the upper end of the threaded rod sized to engage the bottom of the table top when the handle is tightened, and to clear the depending lip of the table top when the handle is loosened;

e) at least one upper horizontal cross member, the upper horizontal cross member(s) sized to extend between the connector secured to the upper end of the first upright sub-assembly and the connector secured to the upper end of the second upright sub-assembly;

f) at least one lower horizontal cross member(s), the lower horizontal cross member(s) sized to extend between the lower connector secured to the lower end of the first upright sub-assembly and the lower connector secured to the lower end of the second upright sub-assembly;

g) ~~and~~ a flexible sheet material sized to be releasably secured to a frame formed by the vertical tubular member on the first upright sub-assembly, the vertical tubular member on the second upright sub-assembly, the upper horizontal cross member and the lower horizontal cross member at assembly, and;

h) the horizontal clamping arms of the first and second upright sub-assemblies are pivotal in relation to the respective first and second upright sub-assemblies, to position the clamp means to avoid objects located on the underside of the table top.

2. (CANCELED).

3. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 1, wherein two vertical tubular member(s) are used to extend the height of the respective first and second upright sub-assemblies, and to provide a more compact disassembly, for ease of transport and storage.

4. (CURRENTLY AMENDED). The modular table top display apparatus of claim 1, wherein two horizontal cross member(s) ~~are~~ is used to extend the length of the modular table top display apparatus, and to provide a more compact disassembly, for ease of transport and storage.

5. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 1, wherein at least one light fixture is releasably secured to the upper portion of the frame to selectively illuminate the modular table top display apparatus.

6. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 1, wherein a multiple light cord assembly is secured to the frame formed by the lower portion of the upper horizontal cross member, the upper portion of the lower horizontal cross member, the inner side of the first vertical tubular member, and the inner side of the second vertical tubular member, thus forming a substantially continuous multiple light cord assembly having multiple points of light positioned within the frame to aid in illuminating the flexible sheet material

located within the modular table top display apparatus, and a controller is provided to selectively control the actuation of the multiple lights.

7. (CURRENTLY AMENDED). The modular table top display apparatus of claim 1, wherein at least one end of ~~each~~ the straight connector, right angle connector, and four way connector is slotted in at least one direction to provide a slip fit connection.

8. (CURRENTLY AMENDED). The modular table top display apparatus of claim 1, wherein an end connector is provided to close off the ~~open~~ distal end of each of the ~~table top braces and the~~ horizontal clamping arms.

9. (CURRENTLY AMENDED). The modular table top display apparatus of claim 1, wherein the position of ~~the table top brace, the lower extension and the~~ clamping arms are offset in relation to the vertical tubular member on each of the first and second upright sub-assemblies to position the clamp arm at least four inches inward of the opposing ends of the table top to position the clamping means to avoid obstacles located underneath the table top.

10. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 4, wherein an elastomeric cord is secured between adjacent horizontal cross members for ease of alignment and assembly.

11. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 3, wherein an elastomeric cord is secured between adjacent vertical tubular members for ease of alignment and assembly.

12. (PREVIOUSLY PRESENTED). A modular table top display apparatus to be supported and secured to a new or existing table top, which comprises:

a) a first upright sub-assembly, comprising at least one vertical tubular member, an upper connector secured to the upper end of the vertical tubular member, and a lower connector secured to the lower end of the at least one vertical tubular member, a horizontal spacer secured to the lower end of the right angle connector, with a first end of a four way connector secured to the horizontal spacer on one side, and a slip fit connector end secured to the opposite side;

b) a first clamping means positioned beneath the four way connector, the first clamping means having a horizontal table top brace extending at right angles to the horizontal extension and secured to the four way connector, a depending vertical extension secured to the four way connector, a right angle connector secured to the lower end of the depending vertical extension, and a horizontal clamping arm secured to the right angle connector and extending in spaced relation beneath the horizontal table top brace; a vertical aperture located near the distal end of the horizontal clamping arm, a threaded nut secured within the horizontal clamping arm in alignment with the vertical aperture, a threaded rod engaging the threaded nut, and extending through the vertical aperture, a handle

secured to the lower end of the threaded rod, the threaded rod sized to engage the bottom of the table top when tightened, and to clear the depending lip of the table top when loosened;

c) a second upright sub-assembly, comprising at least one vertical tubular member, an upper connector secured to the upper end of the vertical tubular member, and a lower connector secured to the lower end of the at least one vertical tubular member, a horizontal spacer secured to the lower end of the right angle connector, with a first end of a four way connector secured to the horizontal spacer on one side, and a slip fit connector end secured to the opposite side;

d) a second clamping means positioned beneath the four way connector, the second clamping means having a horizontal table top brace extending at right angles to the horizontal extension, a depending vertical extension secured to the four way connector, and a right angle connector secured to the lower end of the depending vertical extension, a horizontal clamping arm secured to the right angle connector and extending in spaced relation beneath the horizontal table top brace; a vertical aperture located near the distal end of the horizontal clamping arm, a threaded nut secured within the horizontal clamping arm in alignment with the vertical aperture, a threaded rod engaging the threaded nut, and extending through the vertical aperture, a handle secured to the lower end of the threaded rod, the threaded rod sized to engage the bottom of the table top when tightened, and to clear the depending lip of the table top when loosened;

e) at least one upper horizontal cross member(s), the upper horizontal cross member(s) sized to extend between the right angle connector secured to the upper end of the first upright sub-assembly and the right angle connector secured to the upper end of the second upright sub-assembly;

f) at least one lower horizontal cross member(s), the lower horizontal cross member(s) sized to extend between the lower connector secured to the lower end of the first upright sub-assembly and the lower connector secured to the lower end of the second upright sub-assembly;

g) and a flexible display sheet sized to be releasably secured to the vertical tubular member on the first upright sub-assembly, the vertical tubular member on the second upright sub-assembly, the upper horizontal cross member and the lower horizontal cross member at assembly.

13.(PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 12, wherein the horizontal clamping arms of the first and second upright sub-assemblies are pivotal in relation to the respective first and second upright sub-assemblies, to position the clamp means to avoid apparatus located on the underside of the table top.

14. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 12, wherein a multiple light cord assembly is secured to the lower portion of the upper horizontal cross member, the upper portion of the lower horizontal cross member, the inner side of the first vertical tubular member, and the inner

side of the second vertical tubular member, thus forming a substantially continuous multiple light cord assembly having multiple points of light positioned within the frame to aid in illuminating the flexible sheet material located within the modular table top display apparatus, and a controller is provided to selectively control the actuation of the multiple lights.

15. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 12, wherein at least one end of each straight connector, right angle connector, and four way connector is slotted in at least one direction to provide a slip fit connection.

16. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 12, wherein an end connector is provided to close off the open end of each of the table top braces and the clamping arms.

17. (PREVIOUSLY PRESENTED). A modular table top display apparatus to be supported and secured to a new or existing table top, which comprises:

- a) a first upright sub-assembly, comprising at least one vertical tubular member, a right angle connector secured to the upper end of the vertical tubular member, and a lower connector secured to the lower end of the vertical tubular member;

- b) a first clamping means positioned beneath the first upright sub-assembly, the first clamping means having a horizontal table top brace, a

depending lower extension, a pivotal connecting means pivotally secured within the depending lower extension, and a pivotal horizontal clamping arm secured to the pivotal connecting means, with a vertical aperture located near the distal end of the pivotal horizontal clamping arm, a threaded nut secured within the pivotal horizontal clamping arm in alignment with the vertical aperture, a threaded rod engaging the threaded nut, the threaded rod extending through the vertical aperture, a handle secured to the lower end of the threaded rod, the threaded rod sized to engage the bottom of the table top when tightened, and to clear the depending lip of the table top when loosened;

c) a second upright sub-assembly, comprising at least one vertical tubular member, a right angle connector secured to the upper end of the vertical tubular member, and a lower connector secured to the lower end of the vertical tubular member;

d) a second clamping means positioned beneath the second upright sub-assembly, the second clamping means having a horizontal table top brace, a depending lower extension, a pivotal connecting means pivotally secured within the depending lower extension, and a pivotal horizontal clamping arm secured to the pivotal connecting means, with a vertical aperture located near the distal end of the pivotal horizontal clamping arm, a threaded nut secured within the pivotal horizontal clamping arm in alignment with the vertical aperture, a threaded rod engaging the threaded nut, and extending through the vertical aperture, a handle secured to the lower end of the threaded rod, the threaded rod sized to engage

the bottom of the table top when tightened, and to clear the depending lip of the table top when loosened;

e) at least one upper horizontal cross member(s), the upper horizontal cross member(s) sized to extend between the right angle connector secured to the upper end of the first upright sub-assembly and the right angle connector secured to the upper end of the second upright sub-assembly;

f) at least one lower horizontal cross member(s), the lower horizontal cross member(s) sized to extend between the lower connector secured to the lower end of the first upright sub-assembly and the lower connector secured to the lower end of the second upright sub-assembly;

g) and a flexible sheet material sized to be releasably secured to the vertical tubular member on the first upright sub-assembly, the vertical tubular member on the second upright sub-assembly, the upper horizontal cross member and the lower horizontal cross member at assembly.

18. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 17, wherein the position of the table top brace, the lower extension and the clamping arm are offset in relation to the vertical tubular member on each of the first and second upright sub-assemblies to position the clamp arm at least four inches inward of the opposing ends of the table top to avoid obstacles located underneath the table top.

19. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 17, wherein a multiple light cord assembly is secured to the lower portion of the upper horizontal cross member, the upper portion of the lower horizontal cross member, the inner side of the first vertical tubular member, and the inner side of the second vertical tubular member, thus forming a substantially continuous multiple light cord assembly having multiple points of light positioned within the frame to aid in illuminating the flexible sheet material located within the modular table top display apparatus, and a controller is provided to selectively control the actuation of the multiple lights.

20. (PREVIOUSLY PRESENTED). The modular table top display apparatus of claim 17, wherein an end connector is provided to close off the open end of each of the table top braces and the clamping arms.

REMARKS

Claim 1 has been rejected over Hamilton and Sandahl et al.

Claim 1 has been currently amended to include the pivotal clamping arms 52 of claim 2. This combination has advantages not taught in Hamilton or Sandahl et al. The pivotal clamping arms can be selectively positioned to avoid the sub-structure of a variety of table tops, as noted in the specification, paragraph [0048].

Claim 2 has been canceled, as the novel features of claim 2 have been incorporated into currently amended claim 1.

Claim 3 remains pending as previously presented.

Claim 4 has been currently amended on line 2, to delete ~~is~~, and add are after "member(s)".

Claims 5 and 6 remain pending as previously presented.

Claim 6 has been rejected under 35 USC112 as being indefinite. Antecedent basis is found on page 15, third paragraph, of the specification as originally filed. See paragraph [0062]. Also note FIG. 3, items 93-96, as amended.

Claim 7 has been currently amended to delete ~~each~~ in line 2, and add a before "straight", before "right" and before "four" in lines 2 and 3.

Claim 8 has been rejected for lack of antecedent basis. Claim 8 has been currently amended to delete ~~open~~ and add distal in line 2, and to delete ~~table top braces and the~~, and add horizontal on line 3 before "table top braces." See claim 1 b) and 1d) as originally filed, also see FIG. 4A, 4B, 6A and 6B, and specification, paragraph [0047], [0052] and [0055], as originally filed.

Claim 9 has been currently amended to delete ~~table top brace, the lower extension and the~~ in line 2. Claim 9 has been rejected for lack of antecedent basis, as "the table top brace" lacks antecedent basis. See Claim 1 b, line 2 and Claim 1 d, line 2-3, as originally filed. Also see paragraph [0065] in the application as filed. Thus claim 9 is believed to have antecedent basis, and therefore is now believed to be allowable.

Claims 11 and 12 remain as previously presented.

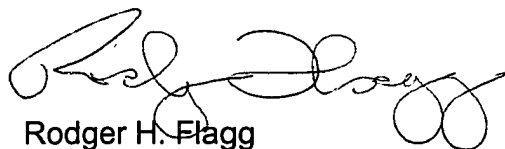
The examiner has noted that claims 12-20 (Original) are allowable.

Claims 2, 5, 7, 10 and 11 are objected to as being dependent upon a rejected claim. These claims have been currently amended to depend from new claim 21, and thus are now believed to be allowable.

Thus, there were three independent claims and a total of 20 claims in the application as filed. There are now three independent claims and a total of 19 claims in the amended patent application. Thus no additional fees are believed to be required, prior to receiving a Notice of Allowance in the amended patent application. Therefore allowance of claims 3 through 21 is hereby respectfully requested. Please advise if any further changes are required prior to gaining allowance of the pending patent application.

I hereby request an examiner interview to resolve any remaining issues at the Examiner's convenience, Monday through Friday, from 9:30AM through 5:30PM, by calling (703) 535-5455. My offices are located at 2121 Eisenhower Ave., Suite 500, Alexandria, VA 22039, right next to the new USPTO. I would be delighted to meet you, and personally thank you for the diligent and thorough review of my pending patent application. I would like to bring a working model of this invention to show the Examiner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rodger H. Flagg', with a stylized, cursive script.

Rodger H. Flagg
Inventor

Enclosure:

Amendment dated 11/01/05
Marked up Copy of Specification and Claims (11/01/05)
Clean copy of the Amended Specification (11/01/05)
Post Card receipt